

General Complaint

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

FILED-CLERK  
U.S. DISTRICT COURT  
2017 AUG 28 AM 8:33

TX EASTERN MARSHALL

BY \_\_\_\_\_

Diana Louise Johnigan

Case Number : \_\_\_\_\_

List the full name of each plaintiff in this action.

VS.

House

Hospital Housekeeping Systems LLP  
dba Longview Regional Medical Center

List the full name of each defendant in this action.

Do not use "et al".

Attach additional pages if necessary.

I. ATTEMPT TO SECURE COUNSEL:

Please answer the following concerning your attempt to secure counsel.

A. In the preparation of this suit, I have attempted to secure the aid of an attorney as follows: (circle one)

1. Employ Counsel
2. Court - Appointed Counsel
- ☒ 3. Lawyer Referral Service of the State Bar of Texas,  
P. O. Box 12487, Austin, Texas 78711.

B. List the name(s) and address(es) of the attorney(s):

Whitehurst ph 903-593-5588

Michael Benefield 903-806-1914

C. Results of the conference with counsel:

Whitehurst → Suggested return to LRMC  
Benefield → no return call

II. List previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action or any other incidents? \_\_\_\_\_ Yes ☒ No

B. If your answer to "A" is "yes", describe the lawsuit in the space below.  
If there is more than one lawsuit, attach a separate piece of paper describing each.

1. Approximate file date of lawsuit: \_\_\_\_\_

2. Parties to previous lawsuit(s):

Plaintiff \_\_\_\_\_

Defendant \_\_\_\_\_

Attach a separate piece of paper for additional plaintiffs or defendants.

3. Identify the court the lawsuit was filed. If federal, name the district. If state, name the county.

\_\_\_\_\_

4. Docket number in other court. \_\_\_\_\_

5. Name of judge to whom the case was assigned.

\_\_\_\_\_

6. Disposition: Was the case dismissed, appealed or still pending?

\_\_\_\_\_

7. Approximate date of disposition. \_\_\_\_\_

III. Parties to this suit:

A. List the full name and address of each plaintiff:

Pla #1 Diana Louise Johnigan  
28 Wylie mail → PO Box 172  
Longview, TX 75602

Pla #2 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. List the full name of each defendant, their official position, place of employment and full mailing address.

Dft #1: Hospital House Keeping Systems LLP  
corporate → 216 E 4th Street, Austin, TX 78701  
dba LRMC, 2901 N. 4th, Longview, TX 75604

Dft #2: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dft #3 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach a separate sheet for additional parties.

IV: Statement of Claim:

State as briefly as possible the fact of your case. Describe how each defendant is involved. Include the names of other persons involved with dates and places. Do not give any legal arguments or cite cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need, attaching additional pages if necessary.

Summary of Complaint attached.

## Summary of Complaint

In 2014, I went to my, then, director Keith Cormier's office in tears. When I settled down, I complained to him about "problems" I had been having with Kenneth Moss - vegetable cook and supervisor. Keith told me the situation would be handled. After this day, I had no further problems from Kenneth Moss, except for some under-the-breath comments I could not really hear when I'd pass by him.

In May 2015, Mr. Cormier left Longview Regional Medical Center, and Hospital Housekeeping Systems became my new employer. Before he left, I had asked Keith if I should tell the new director (Ted Peters) about Kenneth Moss. He said I probably should. Stacy Winn advised me to do so as well. Ted Peters was told, therefore, up front about my problems with Kenneth Moss.

From May 2015, until I was forced from my job as cook, which I loved and wanted, I was harassed, bullied, and humiliated by Kenneth Moss. I complained to my superiors and nothing was done, except



2

to say it was a "he said - she said" situation. Without proof or witnesses, nothing was to be done.

My argument is simple: I complained. Proof and/or witnesses, or not, I did complain. And I pray that the court will ask the following people, under oath, if I complained at all, to being harassed by Kenneth Moss:

Management members who were complained to, and/or became aware of problems between Kenneth Moss and myself:

Keith Cormier - director - LRMC (2006-2015)  
 Ted Peters - director - HHS - 2015-2016  
 Stacy Winn - operational manager  
 Joseph Kramer - executive chef  
 Jason Leslie - executive chef  
 Tim Johnson - supervisor.  
 Danny Williams - supervisor  
 Maria Lopez - supervisor  
 Terry Hardin - HR director - LRMC  
 Scott Fisher - supervisor

3

## Conclusion

Since I was the one complaining, I felt I should have been terminated, allowed to collect my unemployment, and then enter into a training program to learn a new trade. This solution would have been acceptable to me. The courts would have not been involved.

But since I have been denied unemployment twice, I feel I should receive my back pay from 8-21-16 to 5-15-17 at \$10.25 per hour for each week of 40 hours and my unemployment [6,920.00]

I will not be able to return to work a full time, productive, and able employee with any company until this is resolved once and for all.

- V. Relief: State Briefly exactly what you want the court to do for you. Make no legal arguments and do not cite cases or statutes. Attach additional pages if necessary.

Also written in Summary of Complaint  
Sheets.

Restitution amounts are in conclusion sheet  
in Summary of Complaint

Signed this 28<sup>th</sup> day of August, 20 17.  
(Month) (Year)

Diana Louise Johnson

I declare (certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on: 8-28-2017  
Date

Diana Louise Johnson

\_\_\_\_\_  
Signature of each plaintiff